IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: WOO et al

SERIAL NO. : 10/650,931

FILED: August 27, 2003

FOR : SUSTAINED RELEASE COMPOSITION FOR ORAL ADMINISTRATION OF DRUGS

EXAMINER: Phyllis G. Spivack Art Unit: 1614

CONFIRMATION NO.: 8064

Mail Stop: AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir/Madam:

This is in response to the outstanding Office Communication dated January 11, 2007. The Commissioner is hereby authorized to charge any fee required by this paper to Deposit Account No. 503814.

In response to the requirement that applicant elect a single disclosed species under 35 USC 121, applicant elects:

1. The drug Nifedipine;

2. A mixture of sodium alginate and xanthan gum, representing the carrier for sustained release of the Nifedipine; and

3. A mixture of hydroxypropyl methylcellulose and propylene glycol alginate, representing the gel hydration accelerator.

The claims which encompass the elected invention include claim 9, which identifies the elected drug Nifedipine and its obvious variants, and claims 2-8. Applicant is admitting that the additional drugs set forth in the group of drugs listed in claim 9 are obvious variants of Nifedipine.

Claim 2 defines the carrier for the sustained release of the drug Nifedipine or any of its obvious variants. In view of the restriction requirement, applicant has added an additional claim 10 directed to the elected species which represents a combination of claims 2 and 9.